

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. William J. Martini
v. : Crim. No. 12-553 (WJM)
EDWARD M. DE SEAR : ORDER FOR CONTINUANCE

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (Shirley U. Emehelu and Leslie Schwartz, Assistant U.S. Attorneys, appearing), and defendant Edward M. De Sear (John Vazquez, Esq. and Michael Critchley, Sr., Esq., appearing), for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18, United States Code, Section 3161(c)(1), and the defendant having consented to such a continuance, and it appearing that the defendant waives such right, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Counsel for defendant requires adequate time to review the discovery in this matter;

(2) Counsel for defendant has requested an extension of the deadline to file pre-trial motions, and the United States has no objection to such an extension;

(3) Taking into account the exercise of diligence, therefore, the facts of this case require that defense counsel be permitted a reasonable amount of additional time for effective preparation in this matter;

(4) Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render trial of this matter unnecessary;

(5) As a result of the foregoing, pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore, on this 3RD day of January, 2013,

ORDERED that this action be, and hereby is, continued until April 2, 2013; and it is further

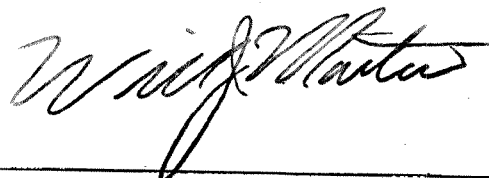
ORDERED that pretrial motions must be filed on or before March 7, 2013; and it is further

ORDERED that opposition is due on or before March 21, 2013; and it is further

ORDERED that the hearing date for any pretrial motions is to be determined; and it is further

ORDERED that trial in this matter is set for April 2, 2013; and it is further

ORDERED that the period from the date of this order through April 2, 2013 shall be excludable in computing time under the Speedy Trial Act of 1974.


A handwritten signature in cursive script, appearing to read "William J. Martini", written in dark ink.

HON. WILLIAM J. MARTINI
United States District Judge

Form and entry
consented to:



SHIRLEY U. EMEHELU
LESLIE SCHWARTZ
Assistant U.S. Attorneys



JOHN VAZQUEZ, ESQ.
MICHAEL CRITCHLEY, SR., ESQ.
Counsel for defendant Edward M. De Sear